



W.P.No.16048 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.No.16048 of 2023

M/s.Digital Accelator Limited,
(Formerly Marg Realities Limited)
rep. by its Authorised Signatory K.S.Gajendra Babu,
57/2B, Sai Subodhaya Apartments,
East Coast Road, Thiruvananthapuram,
Chennai-600 041.
Petitioner

..

Vs

1.The Recovery Officer,
Debts Recovery Tribunal-III,
6th Floor, Additional Office Building,
Shastri Bhavan, Haddows Road,
Nungambakkam,
Chennai-600 006.

2.M/s.ICICI Bank Limited,
rep. by its Chief Manager,
No.1, Cenatoph Road,
Teynampet,
Chennai-600 018.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the



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records relating to the order passed by the first respondent in the form of sale proclamation dated 21.04.2023 fixing the auction sale on 31.05.2023 and quash the same and consequently direct the first respondent to verify the claim of the second respondent by taking into account of all the payments including the Garnishee payments while proceeding in its recovery actions in T.R.C.No.50/2022 after granting sufficient time to the petitioner to cross verify the computer generated statement of accounts and escrow account belatedly served on the petitioner inspite of time bound direction given by this Court in W.P.No.31227 of 2022 dated 01.12.2022 before taking any coercive steps.

For the Petitioner : Mr.V.Chandrasekaran

For the Respondents : Mr.Ilayaraj Kumar
for M/s.Ramalingam Associates
for respondent No.2

R1 - Tribunal

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.V.Chandrasekaran, learned counsel for the petitioner and Mr.Ilayaraj Kumar, learned counsel for the second respondent.

2. Learned counsel for the second respondent bank submits that since the year 2016 the statement of accounts has been submitted, including payments made by the garnishee. Learned counsel further



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submits that the bank would submit the statement of accounts from the year 2011 onwards, inclusive of the payments, if any, made by the garnishee.

3. In the light of that, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.15483 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

03.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU,J.

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